

REMARKS

Claims 1-12 are pending in this application. None of the claims were amended in this response. Favorable reconsideration is respectfully requested.

Claims 1-7 and 9-12 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Chinomi et al.* (US Pat. Pub. 2004/0059498). Dependent claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Chinomi et al.* (US Pat. Pub. 2004/0059498). Applicants respectfully traverse these rejections.

Specifically, *Chinomi* does not disclose “associating transmitter representative data with respective transmitter location data in the portable device to produce data that maps the locations of the wireless transmitters with the associated transmitter representative data, wherein said transmitter representative data comprises information regarding at least a part of the exposure of the one or more market research participants to one or more commercial items in the market research area” as recited in independent claim 1, and similarly recited in independent claims 3 and 5. This configuration is directed to mapping and associating product exposure for research participants in a research area to see what items they were exposed to during the course of the study (see present specification, [002-4], [0048-53]).

Regarding *Chinomi*, the document deals with determining locations of transmitters for content downloading (e.g., MP3, movie) via a vehicle mounted terminal device (FIG. 1, 100). Using device 100, a user enters content that he/she would like to download while in a particular area ([0042-43]). A center system (150) determines wireless access points in that area, and displays them on a map interface on device 100, along with directions on getting to the access points ([0046], [0052]). Clearly, this configuration does not disclose, teach, or suggest “associating transmitter representative data with respective transmitter location data in the portable device to produce data that maps the locations of the wireless transmitters with the associated transmitter representative data, wherein said transmitter representative data comprises information regarding at least a part of the exposure of the one or more market research participants to one or more commercial items in the market research area.”

As discussed above, *Chinomi* deals with digital content and making it available for download at various transmitter sites. There are no commercial items to which a user is exposed to. As such, “transmitter representative data” relating to the exposure is not associated with

transmitter location data. For at least these reasons, the Applicants submit that the rejection under 35 U.S.C. §102 is improper and should be withdrawn. As a side note, dependent claim 2 recites that the research area comprises an interior of a commercial establishment. The Office Action argues that FIG. and paragraph [0052] of *Chinomi* discloses this feature. Applicant cannot find such a teaching in the document. For the same reasons given above, Applicant submits the rejection under 35 U.S.C. §103(a) to claim 8 is improper and should be withdrawn.

An early Notice of Allowance is earnestly requested. If any fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 120913. If such a deduction is made, please indicate the attorney docket number 52579- 113195 (P0123A) on the account statement.

Respectfully submitted,

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Dated: August 30, 2011